

Village Council
May 7, 2007
7:00 PM

MINUTES
Regular Session

Call to Order:

The Council of the Village of Canal Winchester met on the above date for its regularly scheduled meeting and was called to order by Dr. Bender at 7:02 pm.

Pledge of Allegiance:

Lead by Ms. Turner

Roll Call:

Present for roll call was: Dr. Bender, Mr. Donahue, Ms. Eisnaugle, Mr. Jarvis,
Ms. Mershon, Mr. Paini, and Ms. Turner.

Approval of Minutes:

Mr. Paini moved to approve the minutes of the April 16, 2007 Regular Council meeting and was seconded by Mr. Jarvis. Motion carried.

**VOTE: AYES: Mr. Paini, Mr. Jarvis, Mr. Donahue,
Dr. Bender, Ms. Mershon, and Ms. Turner.**

**NAYS:
ABSTAIN: Ms. Eisnaugle.**

Communications & Petitions:

Ohio Historical Society – School at 100 S. Washington Street officially listed on the National Register as of February 9, 2007.

ODNR on the National Flood Insurance Program – Details changes required to meet compliance with flood plain management regulations by September 19, 2007.

OPWC – Approval of Columbus Street Project – Phase I Grant/Loan.

Waste Management – Notice of monthly curbside rate increase to \$8.75 per month effective July 1, 2007.

Ms. Turner read a letter she received from Faith United Methodist Church for national day of prayer.

Dr. Bender talked about the letter received from Barbara Peacock about the realtor signs. Planning and Zoning will be responding them about what the policy is. Discussion ensued.

Village Residents Comments:

Jeff Bond 36 Washington Street addressed council about Economic Development.

David Smalley of Ashbrook Village addressed council about their basketball hoop in their cul-de-sac. He said the hoop is off the street and every evening someone is playing on his basketball hoop. He provided pictures of the where the hoop was located before he moved it and if it is ok where it was, does he need to get a special permit. Discussion ensued

ORDINANCES:

1st Reading

Sponsor: Mr. Donahue

O-05-07A AUTHORIZE THE MAYOR TO CONVEY A 0.51+/- ACRE TRACT OF LAND IN CANAL POINTE, PARCEL NO. 0420376300, TO CANAL WINCHESTER INDUSTRY AND COMMERCE CORPORATION TO PROVIDE FOR ITS SUBSEQUENT CONVEYANCE TO CANAL POINTE, LLC PURSUANT TO A PURCHASE OF SALE AGREEMENT PROVIDING FOR DEVELOPMENT OF INDUSTRIAL LOTS, AND DECLARING AN EMERGENCY.

Mr. Donahue gave the first reading of the above draft ordinance. Mr. Donahue then moved to suspend the rules requiring the 2nd and 3rd readings and was seconded by Ms. Turner. All ayes, motion carried.

VOTE: **AYES:** **Mr. Donahue, Ms. Turner, Dr. Bender, Mr. Paini, Ms. Eisnaugle, Mr. Jarvis, and Ms. Mershon.**
NAYS:

Mr. Donahue moved to adopt ordinance 29-07 and was seconded by Ms. Mershon. All ayes, motion carried.

VOTE: **AYES:** **Mr. Donahue, Ms. Mershon, Ms. Turner, Mr. Paini, Mr. Jarvis, Ms. Eisnaugle, and Dr. Bender.**
NAYS:

Sponsor: Ms. Mershon

O-05-07B AN ORDINANCE TO AMEND SECTION 1317.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF CANAL WINCHESTER TO ADOPT THE 2007 OHIO BUILDING CODE.

Ms. Mershon gave the first reading of the above draft ordinance.

Sponsor: Mr. Donahue

O-05-07C TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE FAIRFIELD COUNTY SHERIFF FOR POLICE PROTECTION, AND DECLARING AN EMERGENCY.

Mr. Donahue gave the first reading of the above draft ordinance.

Sponsor: Ms. Mershon

O-05-07D AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANAL WINCHESTER, OHIO.

Ms. Mershon gave the first reading of the above draft ordinance.

2nd Reading

Sponsor: Mr. Jarvis

O-04-07J AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH BURNHAM FLOWER OF OHIO, INC. ON BEHALF OF STANDARD INSURANCE COMPANY TO PROVIDE A TERM LIFE INSURANCE POLICY AS A PART OF THE EMPLOYEE COMPENSATION AND BENEFITS PACKAGE.

Mr. Jarvis gave the second reading of the above draft ordinance.

Sponsor: Mr. Jarvis

O-04-07K AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH VISION SERVICE PLAN (VSP) TO PROVIDE A VISION INSURANCE PLAN AS A PART OF THE EMPLOYEE COMPENSATION AND BENEFITS PACKAGE.

Mr. Jarvis gave the second reading of the above draft ordinance.

3rd Reading

Sponsor: Ms. Eisnaugle

O-04-07C AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION NECESSARY TO COMPLETE THE REHABILITATION OF THE BRIDGE STRUCTURE ON LITHOPOLIS-WINCHESTER ROAD OVER WALNUT CREEK.

Ms. Eisnaugle gave the third reading of the above draft ordinance. Ms. Eisnaugle then moved to adopt ordinance 30-07 and was seconded by Ms. Mershon. All ayes, motion carried.

VOTE: AYES: Ms. Eisnaugle, Ms. Mershon, Ms. Turner, Mr. Paini, Mr. Jarvis, Mr. Donahue, and Dr. Bender.

NAYS:

RESOLUTIONS:

1st Reading

2nd Reading

3rd Reading

Mayor's Report:

Submitted his report as written.

Mr. Donahue and Ms. Eisnaugle were appointed to the negotiating Team.

There was a discussion about the negotiations for the bike path. Mr. Hollins said they forwarded the updated information so the churches could get their appraisals updated. The biggest piece of property still out there is scheduled for a pretrial in June and the trial is still set for July.

Public Works Director:

The Walnut Creek Park construction is on schedule, the mound has been leveled for the multipurpose field and they are getting ready to lay stone. The 2007 street CIP construction project

is starting next Monday, it will include High Street from Waterloo to Mound, Winchester Manor and a small portion on Walnut Street. The water treatment plant project is going along well; the roof is being put on now. In conjunction with the Lieberman Well field they are anticipating that they will start testing out their tank age at the water treatment plant the first of June.

Development Director:

Two weeks ago he sent proposals to a Korean plastic injection molding company for locations at Canal Pointe and Gender Road. He attended the CoreNet Global conference with the Columbus Chamber of Commerce and received good feedback and contacts. He is continuing to meet with different site selectors to look at opportunities in Canal Winchester.

Village Solicitor's Report:

He called the attorney who helped foreclose on the Davis Paint property and he referred Mr. Hollins to the president of Guernsey Bank, which is the bank who did the foreclosure. The president of the bank said part of the reason for securing the building was they had a couple instances of people getting in the property, and there are also some left over materials in the building they are concerned about. Mr. Hollins said that the president of Guernsey Bank is very interested in getting into the village and talking about marketing the property; reusing and about the programs we have in place that might help them redevelop the property. Discussion also ensued about that house in the Villages at Westchester that has just been sitting there since the fire. Mr. Hollins stated that mortgage company feels they still have right to go against the insurance company and the insurance company is going to deny the claim because it was arson. Mr. Hollins stated they told them that since nothing is happening, we may want to take a shot at getting the place demolished. Corey put in one more call before he left on vacation and said that we are very serious and if nothing happens we may begin going through the process to declare it a nuisance and demolish it.

Fairfield County Sheriff's Report:

Deputy Dixon gave a report on the statistics over the past 2 weeks.

Finance Directors Report:

The total cost to the village on the vision insurance would be \$5,769.72 a year. She presented a travel policy to the finance committee for their consideration this evening and it will be coming to council in the near future. They are working on the 2008 budget; it will go the finance committee on June 4th. The 2008 budget must be adopted and submitted to the county by July 20, 2007.

Council Reports:

Service Committee: Monday, May 21, 2007 at 5:00 p.m.

Finance Committee: Monday, June 4, 2007 at 6:00 p.m.

Dr. Bender requested a special Committee of the Whole meeting to go over the Mayor's and council's salaries. They agreed to meet on Monday, May 14th at 6:30 pm in the lower level conference in the Municipal Building.

Safety Committee: Monday, May 21, 2007 at 6:00 p.m.

Old Town Committee: Monday, June 4, 2007 at 5:00 p.m.

Old Town will bring the resolution back to council the resolution to preserve the green space behind.

New Business:

Storm Water Utility – Ms. Osborn said the Storm water utility policy was adopted in March 2005, which created the storm water management code and the storm utility. What they are attempting to do at this time is to implement the user fess appropriate for this utility. The storm water utility is needed because the 1972 Clean Water Act mandated that communities would put in place a storm water management code as part of the national pollutant discharge elimination system (NPDES). This is a system that requires us to deal with storm water runoff. The national waters were in bad

shape in 1972, forty percent of the surveyed US bodies of water do not to this day meet water quality standards and the storm water management program provides clean water back to our lakes. The storm water management code that the Village adopted provided for 4 things:

1. Improve the water quality for local streams.
2. Reduce flooding.
3. Improve storm water drainage
4. Insure that the village is in compliance with the tough regulations that are required by the US EPA.

The village will drive funds from user fees to pay for the conditions that we have to ensure as a part of our requirements for 1972 clean water act. There is no dedicated source of funding for storm water, right now monies come from the General Funds and Street Funds and they are used in combination to meet whatever our requirements are. New Regulations were implemented on March 6, 2006 about how storm water would be managed as it came off of roadways and property' which has created additional costs that the village will be facing. The village staff worked with the engineer and recommended a fee structure they believe will meet the needs of the community to meet the requirements that the US EPA has placed on us to help us improve the storm water output we have through our local lakes and streams and to ensure that we are in compliance. Ms. Osborn will pull together specifically the additional costs that we will incur as a result of the new additional regulations and bring them back at the next regular meeting. Discussion ensued.

Old Business:

Adjournment to Executive Session:

No executive session.

Adjournment:

Mr. Donahue moved to adjourn this meeting of Council and was seconded by Mr. Paini. All ayes, motion carried.

**VOTE: AYES: Mr. Donahue, Mr. Paini, Ms. Turner, Ms. Mershon,
 Mr. Jarvis, Ms. Eisnaugle, and Dr. Bender.**

NAYS:

Time out 8:34 pm

Nanisa Osborn, Clerk of Council

John Bender, President

Date

Jeffery J. Miller, Mayor

Lori Nelson, Administrative Assistant

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.